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Our File Number: 46640-47

Attorney for Defendants, City of Millville, Jody Farabella (Chief of Police)

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY - CAMDEN**

BARRY COTTMAN,

Plaintiff

v.

JODY FARABELLA, MILLVILLE CHIEF
OF POLICE, POLICE OFFICER
JOSEPH DIXON 172, POLICE
OFFICERS ROBERT RUNKLE 160, AND
THE CITY OF MILLVILLE, NEW
JERSEY

Defendants.

Civil Action
Number 19-CV-14122 (NLH/AMD)

NOTICE OF APPEAL ON BEHALF OF DEFENDANT JODY FARABELLA

Notice is hereby given that Defendant JODY FARABELLA, hereby appeals to the United States Court of Appeals for the Third Circuit from the June 28, 2021 order and opinion denying DEFENDANT FARABELLA the defense of Qualified Immunity; and, from the March 31, 2022 order and opinion denying the Motion for Reconsideration of the denial of the defense of Qualified Immunity as to DEFENDANT FARABELLA.

"[A]n order rejecting the defense of qualified immunity at either the dismissal stage or the summary judgment stage is a 'final' judgment subject to immediate appeal." Behrens v. Pelletier, 516 U.S. 299, 307 (1996), citing, Mitchell v. Forsyth, 472 U.S. 511

(1985). See also, Africa v. City of Phila. (In re City of Phila. Litig.), 49 F.3d 945, 956-57 (3d Cir. 1995).

Respectfully submitted,

By: 
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